

**SB 1168 (Pavley) & AB 1739 (Dickinson)****Sustainable Groundwater Management  
Amended August 6 and 7, 2014**

---

SB 1168 and AB 1739 provide local communities with tools to sustainably manage their groundwater resources.

**Background**

Groundwater is critical to California's water supplies, accounting for roughly 40% of the water used in California during normal years and up to 60% of the water used during droughts.

Over 75% of Californians (about 30 million people) rely on groundwater for a portion of their drinking water. Groundwater resources are essential to the state's multi-billion dollar agricultural industry, our manufacturing industries, and other sectors of our economy. Groundwater basins are found throughout the state, eclipsing the water storage capacity of any of the state's other reservoirs.

Managed correctly, groundwater provides a critical buffer against droughts by providing additional water supplies in years when there is not enough rainfall or snow.

**The Problem**

When water withdrawals exceed the rate that groundwater is replenished by rain and snowmelt, the result is what is known as "overdraft." Long-term overdraft is akin to deficit spending, robbing future generations of the ability to use these valuable resources.

If enough overdraft occurs:

- Land can literally sink (subsidence) damaging canals, flood control facilities, roads, bridges, pipelines, and other infrastructure costing private landowners and taxpayers hundreds of millions of dollars to repair the damage;
- Conflicts can develop between neighbors when water levels drop and wells run dry;
- Farmers and residents can incur significant costs when they have to dig deeper wells and incur greater energy costs to pump groundwater;
- Other landowners may not be able to exercise their rights to surface waters when groundwater pumping results in reduced surface water supplies;
- Water quality can be degraded; and
- Fish and wildlife resources may be harmed when surface water flows are reduced.

California faces a groundwater crisis. The cumulative overdraft of our groundwater basins is equivalent to the entire amount of water stored in Lake Tahoe. In many areas of the state, local groundwater managers lack the tools and authorities to manage their groundwater basins. Without improved management, the overdraft in many parts of the state will get even worse over the next several years.

**Public Support**

According to a July 2014 poll released by the California Water Foundation:

- 78 percent of voters statewide agree "we need to act now to ensure we are managing groundwater supplies carefully to address the needs of future generations;"
- 78 percent agree that "water availability is so important to our state's future that we need to make major changes now in the way we manage groundwater supplies;" and

- 73 percent support a comprehensive groundwater management plan for California that includes: setting state standards for local groundwater management; providing local communities with the tools to manage local groundwater supplies; reducing the risk of permanent damage to groundwater quality; and increasing groundwater storage.

### **The Solution**

There is a growing consensus that California's groundwater crisis must be addressed this year to ensure these critical water supplies are available when farmers, homeowners, and future generations need them the most.

The Brown Administration's California Water Action Plan earlier this year highlighted the need for sustainable groundwater management. This spring, the California Water Foundation and the Association of California Water Agencies each issued reports calling for the passage of legislation to advance sustainable groundwater management that provide local communities with the tools they need to sustainably manage their groundwater resources, and establish the appropriate state role for assistance and enforcement.

SB 1168 and AB 1739 address this challenge by establishing the *Sustainable Groundwater Management Act*.

Key provisions of the bills:

- Adopts State policy that groundwater resources be managed sustainably and affirm that groundwater is most effectively managed at the local level;
- Focuses on groundwater basins ranked as high- and medium-priority by Department of Water Resources (DWR) through the CASGEM program (California Statewide Groundwater Elevation Monitoring).
- Exempts adjudicated basins, except for an annual reporting requirement;
- By January 1, 2017, provides that local communities with high- and medium-priority groundwater basins must identify their proposed governance structure for the groundwater basin, and allows formation of more than one groundwater sustainability agency (GSA) in a basin if planning and management of the basin is coordinated among the agencies;
- By January 1, 2020, requires GSAs to prepare groundwater sustainability plans that identify measurable objectives and implementation strategies for achieving sustainability within 20 years;
- Provides GSAs with management authorities needed to effectively manage their groundwater and enables the local decision makers to choose the tools that are right for their communities;
- Provides an appropriate state "backstop" with clear timelines that allows DWR and the State Water Resources Control Board (SWRCB) to intervene in the rare instance when local leaders have not moved forward to sustainably manage their groundwater resources. The bills further directs the SWRCB to transfer responsibilities back to the respective local agency once the local agency is capable of sustainably managing its groundwater resources; and
- Recognizes the use of groundwater as an important property right, but one that must be shared with neighbors and other landowners who rely on these limited resources.

SB 1168 and AB 1739 include identical language to advance management of California's groundwater resources.